

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JUNE 11, 1991
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Filner at 11:04 a.m. Deputy Mayor Filner recognized students from Avocado Elementary School. The meeting was recessed by Deputy Mayor Filner at 11:52 a.m. to reconvene at 2:30 p.m.

The meeting was reconvened by Mayor O'Connor at 2:35 p.m. with no quorum present. A quorum was present at 2:45 p.m. with Council Members Hartley, Pratt, Henderson and Filner not present. Mayor O'Connor recessed the meeting at 2:48 p.m. to convene the Redevelopment Agency. Mayor O'Connor reconvened the regular meeting at 3:06 p.m. with Council Members Pratt, Henderson and Filner not present. The meeting was adjourned by Mayor O'Connor at 3:33 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member Hartley-present
 - (4) Council Member Pratt-present
 - (5) Council Member Behr-present
 - (6) Council Member Henderson-not present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour (rb/ll)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Behr-present
- (6) Council Member Henderson-not present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-330: (R-91-1833) ADOPTED AS RESOLUTION R-278103

Review of the draft Comprehensive Land Use Plan (CLUP) for San Diego International Airport - Lindbergh Field in a public advisory hearing. The draft CLUP has been prepared by SANDAG, acting as the Airport Land Use Commission for the San Diego region. The plan was prepared to protect Lindbergh Field from significant future incompatible land uses and provide for orderly growth of the areas surrounding Lindbergh Field; to safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general by protecting them from the adverse effects of aircraft noise; and to ensure that no obstructions or other hazards affect navigable airspace.

Because of the heavily urbanized land uses already built within the Lindbergh Field Airport Influence Area, the Comprehensive Land Use Plan establishes a variety of conditionally compatible land uses and establishes noise attenuation and aviagational easement requirements for new residential and commercial developments within the Airport Influence Area. A Comprehensive Land Use Plan boundary is established in the draft CLUP, and includes portions of Mission Beach, Mission Bay Park, Ocean Beach, Peninsula, Midway/Pacific Highway, Old Town San Diego, Uptown, Centre City, Balboa Park, Golden Hill, Mid-City and Southeast San Diego.

Within this CLUP boundary, the plan identifies the areas affected by noise resulting from airport operations at Lindbergh Field. The types and intensities of land uses that are compatible, conditionally compatible, and incompatible within these areas are also identified. After adoption of the plan by the SANDAG Board, an additional noticed public hearing will be held by the City Council to consider amendment of the Airport Environs Overlay Zone that will ensure that future development is consistent with the Comprehensive Land Use Plan.

(Districts-2, 3, 4 & 8.)

Adoption of a Resolution recommending that SANDAG support adoption of the CLUP for Lindbergh Field.

FILE LOCATION: LAND - Lindbergh Field Comprehensive Land Use Plan

COUNCIL ACTION: (Tape location: A045-132; A137-B038.)

Hearing began at 11:07 a.m. and recessed at 11:14 a.m.

Hearing reconvened at 11:15 a.m. and halted at 11:47 a.m.

Testimony in favor by Hedy St. John, representing the Peninsula Community Planning Committee.

MOTION BY ROBERTS TO ADOPT AND TO RECOMMEND TO SANDAG APPROVAL OF THE ENTIRE PROGRAM WITH AMENDMENTS TO THE PLANNING DEPARTMENT'S RECOMMENDATIONS AS FOLLOWS: TO CONCUR WITH THE REQUEST OF HEDY ST. JOHN TO RECOMMEND A \$50,000 THRESHOLD AS OPPOSED TO THE 100,000 THRESHOLD AND TO REQUIRE ACOUSTICAL INSTALLATION AT THE EXPENSE OF THE HOMEOWNER FOR A ROOM ADDITION OR FOR A REBUILT PORTION OF THE RESIDENCE WITH 10 PERCENT OF THE TOTAL COST LIMITATION ON THAT ACOUSTICAL INSTALLATION; AND FURTHER, THAT WE REQUIRE A RETROFIT OF THE ENTIRE RESIDENCE ONLY IF AND WHEN AN ACOUSTICAL INSTALLATION PROGRAM IS FUNDED BY THE APPROPRIATE AGENCIES THROUGH THE FAR PART 150 PROGRAM. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-331: (R-91-1871) ADOPTED AS RESOLUTION R-278104

Considering the protests and determining that is in the public interest to acquire 2 acres of the Chollas Radio System for the San Diego Open Space Park Facilities District No. 1, under Resolution of Intention R-277942, adopted May 20, 1991; authorizing the City Manager to offer to purchase said property; authorizing the expenditure of not to exceed \$100,000 as payment for said property and related costs from the Open Space Park District Bond Fund 79104; authorizing the City Manager to accept the deed to said property without further Council action.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: Authorization of funds relating to this action will provide a portion of the overall funding for the subsequent purchase of 7.97 acres at the northeast corner of 51st Street and Market Street for the proposed relocation of the Valencia Park Library. Plans for the overall site include retaining a portion of it as open space. Funds authorized by this action in the amount of \$100,000 from Open Space Bond Fund 79104 allocated to District 4 will be used to provide for the preservation of a minimum of two acres of the larger parcel as open space located easterly of the proposed library facility and westerly of the adjoining City-owned Chollas Radio Open Space System. The Chollas Radio System is Priority No. 5, in Category A, on the Council's adopted Open Space Retention List.

Aud. Cert. 9100863.

NOTE: See Item 332 for a companion item.

FILE LOCATION: STRT - OS-3

COUNCIL ACTION: (Tape location: A036-043.)

Hearing began at 11:05 a.m. and halted at 11:06 a.m.

MOTION BY PRATT TO ADOPT ITEMS 331 AND 332. Second by WOLFSHEIMER. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-332:

Two actions relative to the proposed Valencia Park
Library relocation site:

(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-91-1939) ADOPTED AS RESOLUTION R-278105

Authorizing the Auditor and Comptroller to add CIP-35-079.0, Valencia Park Library - Relocation, to the FY 91 Capital Improvements Program; authorizing the transfer of not to exceed \$560,000 (consisting of \$100,000 from Open Space Bond Fund 79104; \$85,000 from Southeast San Diego Urban Community Fund 79511; \$219,000 from Open Space Acquisition Fund 30252; and \$156,000 from Capital Outlay Other Revenue Fund 302453, CIP-90-245.0, Capital Outlay Fund - Unallocated Reserve) to CIP-35-079.0, Valencia Park Library - Relocation; authorizing the expenditure of an amount not to exceed \$560,000 from CIP-35-079.0, Valencia Park Library - Relocation, for the acquisition of land and related costs; authorizing the acceptance by the City Manager of a grant deed of Trust Services of America, Inc., conveying to the City Lots A through H inclusive, in Block 22 of Las Alturas No. 5, Map-2053, filed August 17, 1927, consisting of approximately 7.97 acres of land.

Subitem-B: (R-91-1940) ADOPTED AS RESOLUTION R-278106

Certifying that the information contained in Environmental Impact Report EIR-90-1098, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: Authorization of this project and the funding will provide a site for the relocation of the Valencia Park Library. This 7.97-acre parcel will also provide open space areas and contains significant geological and palentological features which can be incorporated into study programs in conjunction with the library. A portion of the acquisition funds in the amount of \$100,000 from Open Space Bond Fund 79104 allocated to District 4 will provide for the preservation of a minimum of 2 acres of the site as open space.

The open space portion adjoins the City-owned Chollas Radio Open Space System which is priority Number 5, in category A, on the Council's adopted Open Space Retention List. Also, a \$219,000 portion of the funding is money reimbursed to the Open Space Acquisition Fund for the portion of Valencia Canyon used for Valencia Parkway. Valencia Canyon was originally purchased with funds allocated to Council District 4. On December 10, 1990, the Southeast Development Committee voted 11-0-0 to support the initiation of a community plan amendment for the relocation of the library. The amendment is proposed to be set for Council hearing in July 1991. On February 11, 1991 Council adopted Resolution R-277360 authorizing the City Manager to submit an application to the State for \$2,609,180 in California Library Construction and Renovation Bond Act Funds (Prop. 85). The Grant will provide funds on a 65 percent - State 35 percent - Local match basis for the construction of the library.

Aud. Cert. 9100882.

NOTE: See Item 331 for a companion item.

FILE LOCATION: DEED F-5616 DEED FY91-1

COUNCIL ACTION: (Tape location: A036-043.)

MOTION BY PRATT TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-333: CONTINUED TO JULY 9, 1991

(Continued from the meeting of May 14, 1991, Item 330, at Councilmember Hartley's request, to allow the new planning group to participate.)

Two actions relative to Fairmount Avenue (Ridge View Drive to Home Avenue) Underground Utility District: (Mid-City Community Area. District-3.)

Subitem-A: (R-91-1675)

Establishing the Fairmount Avenue (Ridge View Drive to Home Avenue) Underground Utility District.

Subitem-B: (R-91-1676)

Authorizing the expenditure of an amount not to exceed \$29,000 from CIP-37-028, Gas Tax Fund 32191, for the purpose of administering the Underground Utility District, minor City Force work and other related work.

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Fairmount Avenue between Ridge View Drive and Home Avenue. This is a scheduled project in the Calendar Year 1992 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case-8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 9100742.

FILE LOCATION: STRT -K-197

COUNCIL ACTION: (Tape location: A125-133.)

MOTION BY HARTLEY TO CONTINUE TO JULY 9, 1991, AS REQUESTED BY THE CITY MANAGER TO RESOLVE NOTICING PROBLEMS. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-334: (R-91-2058) ADOPTED AS RESOLUTION R-278107

Establishing a Tax Appropriation Limit for the City of San Diego for Fiscal Year 1992.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A132-136.)

MOTION BY HARTLEY TO ADOPT ITEMS 334, S500-A, INTRODUCE, DISPENSE WITH THE READING AND ADOPT ITEM S500-B, AND TO ADOPT ITEM S502. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-335: WELCOMED

Receiving greetings from the Mayor of San Diego's Sister City, Yantai, People's Republic of China, presented by Mr. Gao, Director of the Foreign Affairs Office, and welcoming delegation members.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C035-056.)

BY COMMON CONSENT THE GROUP WAS WELCOMED.

ITEM-S500:

Two actions relative to year-end budget adjustments:

(See City Manager Report CMR-91-254.)

Subitem-A: (R-91-2081) ADOPTED AS RESOLUTION R-278108

Adoption of a Resolution authorizing the Auditor and Comptroller to transfer within the General Fund 100, certain sums between departments and programs, and between various other funds, as specified, relating to inter-departmental and interfund transfers and for carryover to fund projects not completed; authorizing the transfer of monies between funds and CIP projects for engineering costs in excess of approved appropriations and for the purpose of combining related projects; authorizing the Auditor and Comptroller to return contributions made to the City-sponsored group health insurance program for the eligible retirees fund back to the contributing funds and departments.

Subitem-B: (O-91-180) INTRODUCED AND ADOPTED AS
ORDINANCE O-17656 (New Series)

Introduction and adoption of an Ordinance amending the Annual Appropriation Ordinance by authorizing the Auditor and Comptroller to appropriate additional revenues and increase the General Fund/Property Department appropriation; appropriating and transferring Transient Occupancy Tax Unappropriated Reserve Fund Revenues to the Housing Trust Fund as required.

NOTE: See Item 203 on the regular docket of 6/10/91 for the first public hearing of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A132-136.)

MOTION BY HARTLEY TO ADOPT ITEMS 334, S500-A, INTRODUCE, DISPENSE WITH THE READING AND ADOPT ITEM S500-B, AND TO ADOPT ITEM S502. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S501: (R-91-2151 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-278111

Establishing a Planning Director Selection Screening Committee to review and screen applications submitted by candidates for Planning Director preparatory to City Council interview of candidates; directing solicitation of applications for the position of Planning Director, alternative constraints upon candidates to be defined as:

A) current City of San Diego Planning Department employees,

B) current County of San Diego residents, C) unlimited as to residency or employment.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C290-637.)

MOTION BY McCARTY TO ADOPT AS AMENDED AS FOLLOWS:
ALTERNATES 1 AND 2 OF MAYOR O'CONNOR'S MEMO, DATED JUNE 10, 1991 (CITY STAFF CANDIDATE POOL AND REGIONAL CANDIDATE POOL) WILL BE COMBINED AND KNOWN AS PHASE I WITH A NEW TIMELINE OF 6 TO 8 WEEKS. ANY CANDIDATE OUTSIDE OF THIS POOL WHO HEARS ABOUT THE POSITION FROM ANY OTHER SOURCE IS ALSO ELIGIBLE TO SUBMIT A RESUME FOR CONSIDERATION. THE CITY MANAGER'S/MR. RYAN'S AUDIT OF THE PLANNING DEPARTMENT WILL BE CONDUCTED SIMULTANEOUSLY WITH THE SEARCH. HOWEVER, IF AFTER THE LOCAL AND REGIONAL SEARCH IS COMPLETED AND A CANDIDATE HAS NOT BEEN CHOSEN, THEN PHASE II WILL BE PUT INTO EFFECT WHICH WILL IMPLEMENT A NATIONAL SEARCH (ALTERNATIVES 3A AND 3B OF THE MAYOR'S MEMO). THE PERSONNEL DIRECTOR WAS REQUESTED TO DETERMINE IF THE REVISED TIME FRAME IS FEASIBLE. THE CITY ATTORNEY WAS DIRECTED TO DOCKET, FOR EXECUTIVE SESSION ON MONDAY, JUNE 24, 1991 THE QUESTION OF AN INTERIM APPOINTMENT FOR PLANNING DIRECTOR. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S502: (R-91-2149) ADOPTED AS RESOLUTION R-278109

Certifying that the information contained in the Mitigated Negative Declaration DEP-89-1411, November 1, 1990, as modified by addendum in DEP-91-0485, dated June 7, 1991, in connection with Rancho Bernardo Branch Library, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council.

(See 1472A page for supporting information. Rancho Bernardo Community Area. District-5.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A132-136.)

MOTION BY HARTLEY TO ADOPT ITEMS 334, S500-A, INTRODUCE, DISPENSE WITH THE READING AND ADOPT ITEM S500-B, AND TO ADOPT ITEM S502. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-CS-1: (R-91-2179) ADOPTED AS RESOLUTION R-278110

A Resolution adopted by the City Council in Closed
Session on June 11, 1991:

Authorizing the City Manager to pay the total sum of
\$230,000 in settlement of each and every claim against
the City, its agents and employees, resulting from the
personal injury to Yvette Ann Reyes; authorizing the
City Auditor and Comptroller to issue three checks in
the tentative amounts of \$30,000 to Noli Reyes and his
attorney Robert J. Allan, \$80,000 to the Clerk of the
Superior Court, and \$120,000 to Structured Settlement,
Inc., in full settlement of all claims.

Aud. Cert. 9100948

FILE LOCATION: MEET

NON-DOCKET ITEMS:

ITEM-ND-1: (R-91-2170) ADOPTED AS RESOLUTION R-278112

Adoption of a resolution opposing the closure of the
Naval Training Center and/or Marine Corp Recruit Depot.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C639-D103.)

MOTION BY ROBERTS TO ACCEPT THE ITEM FOR CONSIDERATION.
Second by McCarty. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not
present, Behr-yea, Henderson-not present, McCarty-yea,
Filner-not present, Mayor O'Connor-yea.

MOTION BY ROBERTS TO ADOPT. Second by McCarty. Passed by
the following vote: Wolfsheimer-not present, Roberts-yea,
Hartley-yea, Pratt-not present, Behr-yea, Henderson-not
present, McCarty-yea, Filner-not present, Mayor
O'Connor-yea.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-3: REFERRED TO THE CITY MANAGER

Comments by Kevin Lee Campbell regarding the homeless.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B039-093.)

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 3:33
p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: D103).